

ORDINANCE NO. CO02.17.11.09.H1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS, REPEALING AND REPLACING CEDAR PARK CODE OF ORDINANCES, CHAPTER 11 ZONING; AMENDING CHAPTER 2 ANIMAL CONTROL, ARTICLE 2.01 ADMINISTRATION AND GENERAL PROVISIONS; ADDING CHAPTER 3 BUILDING REGULATIONS, ARTICLE 3.02 PERMITS AND FEES, SECTION 3.02.007 CERTIFICATE OF OCCUPANCY, CHANGE IN USE, TEMPORARY CERTIFICATE OF OCCUPANCY; ADDING CHAPTER 8 OFFENSES AND NUISANCES, ARTICLE 8.11 ENVIRONMENTAL STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Cedar Park, Texas ("City Council") adopted a new Comprehensive Plan in November 2014, which identifies the City's vision for future growth and development; and

WHEREAS, pursuant to the Texas Local Government Code Chapter 211, zoning regulations must be adopted in accordance with the comprehensive plan; and

WHEREAS, Texas Local Government Code Chapter 211 authorizes the City to regulate the height, number of stories, and size of buildings and other structures; the percentage of a lot that may be occupied; the size of yards and open spaces; and the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and

WHEREAS, Cedar Park City Charter Section 2.04 authorizes the Council to zone the City and to pass all necessary ordinances, rules and regulations governing the same under and by virtue of the authority vested in the cities by State statutes; and

WHEREAS, Cedar Park City Charter Section 7.02 authorizes the Council to zone the City after recommendation of the Planning and Zoning Commission, and requires the Council to enact necessary implementing legislation as authorized by law and after all public hearings required by law; and

WHEREAS, the City Council retained Kendig Keast Collaborative, Inc. to assist in the preparation of the proposed Zoning Ordinance Update; and

WHEREAS, the City Council appointed a Zoning Ordinance Advisory Committee to further assist in the preparation of the Zoning Ordinance Update; and

WHEREAS, the City published notice and conducted the requisite public hearings in accordance with Texas Local Government Code Chapter 211; and

WHEREAS, on May 16, 2017, the Planning and Zoning Commission voted 7-0 to recommend approval to repeal Cedar Park Code of Ordinances Chapter 11 Zoning and replace it as provided in the attached Exhibit A; and

WHEREAS, the City Council finds that the proposed Chapter 11 of the Code of Ordinances to be in accordance with the City's comprehensive plan, existing use of land and structures within the affected areas, and uses surrounding the affected areas, and is for the purpose of promoting the public health, safety, morals, and general welfare of the City; and

WHEREAS, the City Council finds that the relocation of various provisions within Chapter 11 of the Code of Ordinances to Chapters 2, 3, and 8 to be in the best interest of the City and will promote the efficient conduct of City operations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR PARK, TEXAS:

SECTION 1. That Cedar Park Code of Ordinances Chapter 11 Zoning is hereby repealed in its entirety and replaced as provided in the attached Exhibit A.

SECTION 2. That the Cedar Park Code of Ordinances Chapter 2 Animal Control, Article 2.01 Administration and General Provisions is hereby amended as provided in the attached Exhibit B.

SECTION 3. That the Cedar Park Code of Ordinances Chapter 3 Building Regulations, Article 3.02 Permits and Fees, Section 3.02.007 Certificate of Occupancy, Change in Use, Temporary Certificate of Occupancy is hereby added as provided in the attached Exhibit C.

SECTION 4. That the Cedar Park Code of Ordinances Chapter 8 Offenses and Nuisances, Article 8.11 Environmental Standards is hereby added as provided in the attached Exhibit D.

SECTION 5. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 7. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

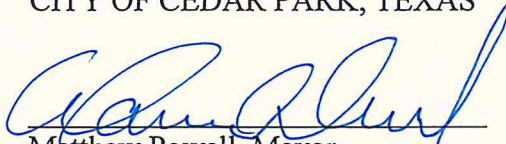
SECTION 8. This Ordinance shall be and remain in full force and effect from and after the date of approval.

READ AND CONSIDERED ON FIRST READING by the City Council of Cedar Park at a regular meeting on the 12th day of October, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.




READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Cedar Park at a regular meeting on the 9<sup>th</sup> day of November, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.


CITY OF CEDAR PARK, TEXAS

  
Matthew Powell, Mayor

ATTEST:

  
LeAnn M. Quinn, TRMC  
City Secretary

APPROVED AS TO FORM  
AND CONTENT:

  
JP LeCompte, City Attorney



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